



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#31  
BAI-22-04

In re the Application of

Masahiro SUZUKI et al.

Group Art Unit: 2612

Application No.: 08/859,276

Examiner: L. Nguyen

Filed: May 20, 1997

Docket No.: JAO 32382

For: INFORMATION INPUT APPARATUS AND METHOD

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

JAN 21 2004

Technology Center 2600

Sir:

In reply to the July 16, 2003 Office Action, the statutory period for reply being extended by the attached Petition for Extension of Time, reconsideration of the rejection is respectfully requested in light of the following remarks. Claims 1-31, 36, 41 and 46-57 are pending in this application.

1/23/04  
96 Reconsideration of the rejections are respectfully requested. Claims 1-31, 36, 41, and 46-57 remain pending in this application.

The Office Action rejects claims 1-4, 10-17, 20-25, 28-31, 36 and 41 under 35 U.S.C. §103(a) over U.S. Patent No. 4,937,673 to Saito et al. (hereinafter "Saito") in view of U.S. Patent No. 5,815,201 to Hashimoto et al. (hereinafter "Hashimoto") and further in view of U.S. Patent No. 4,660,102 to Kawakami et al. (hereinafter Kawakami). Applicants respectfully traverse the rejection.

In particular, Applicants respectfully submit that the combination of applied references fails to suggest or disclose information input apparatus comprising at least the features of an

imaging device that forms digital images of a subject, a sound recording device that records sounds in a state of recording mode, a storage medium that stores at least one of the digital images formed by the imaging device and the sounds input by the sound recording device, a release switch that initiates a process of forming the digital images by the imaging device, a sound effect output device that outputs a preset sound effect when the release switch is operated and a control device that connects to the sound recording device, the storage medium and the sound effect output device, wherein while in the recording mode, the control device controls the sound effect output device to prevent outputting of the preset sound effect when the release switch initiates the process of forming the digital images, as recited in amended claim 1, and similarly recited in amended claims 16 and 24.

Saito teaches a combination video and still picture camera unit which is provided with a mechanism which prevents film wind and rewind operations during movie picture shooting so as to prevent the noise due to the film wind or rewind operation from being recorded by the video camera unit. Thus, in order to prevent recording of undesirable sounds, Saito limits functions of the device.

Hashimoto teaches a digital camera which is capable of capturing digital images and audio which is recorded simultaneous to the capture of the image, such as description of the image or verbal impression of the moment at which the image is captured. When the image and associated audio are transmitted out of the camera to an external device, such as a personal computer, no information is transmitted describing the relationship between the image and audio. Rather, the relationship between the image and audio data stored in memory is determined by the fact that both are transmitted at the same time. However, Hashimoto does not teach suppression of sounds to prevent undesired recording.

Kawakami teaches an electronic still camera which is capable of editing pictures recorded on the storage medium of the camera. When the shutter release button of the camera

is actuated, and in order to clearly notify the recording operation to the operator, a tone generating device such as a piezoelectric device may be arranged so that a pseudo shutter sound is produced when the recording operation on the magnetic disk is initiated. However, because the device of Kawakami is only a digital still camera it is not capable of recording audio signals. Moreover, it is this type of sound which is being suppressed in the invention of claims 1, 16 and 24 of the instant application. Because the invention of Kawakami is only a digital still camera, there would be no reason or motivation to suppress this sound. Furthermore, combining Kawakami with the other references would teach preventing functions from being available during recording rather than stopping the shutter sound in order to prevent undesired sounds from being recorded.

Thus, Saito teaches a combination still and video recording device which disables the film and rewind operations during video recording to prevent recording of the sound caused by rewinding. Hashimoto teaches a digital camera capable of recording audio at the time the digital image is captured. Saito teaches a digital still camera which emits a pseudo shutter sound when a still image is recorded. However, none of these three references suggests or discloses disabling the sound associated with digital still image capture while the apparatus is recording video and audio signals, in a device which is capable of video and still image capturing. The Office Action attempts to use improper hindsight reconstruction to create the claimed invention from the prior art, however, even this fact notwithstanding, the combination of still falls short of the claimed invention. Therefore, Applicants submit that claims 1, 16 and 24 are patentable over the combination of applied references. Claims 2-4, 10-15, 17, 20-23, 25, 28-31, 36 and 41 are also patentable over the combination of applied references for at least the same reasons as independent claims 1, 16 and 24. Accordingly, Applicants respectfully request that the rejection of claims 1-4, 10-17, 20-25, 28-31, 36 and 41 under 35 U.S.C. §103(a) be withdrawn.

The Office Action rejects claims 5-9, 18, 19, 26 and 27 under 35 U.S.C. §103(a) over Saito, Hashimoto and Kawakami as applied above and further in view of U.S. Patent No. 5,576,758 to Arai et al. (hereinafter "Arai"). Applicants respectfully traverse the rejection.

The Office Action relies upon Arai to teach compression of the image data information. However, Applicants respectfully submit that Arai fails to supply the deficiencies of Saito, Hashimoto and Kawakami with respect to independent claims 1, 16 and 24 as discussed above. Therefore, claims 5-9, 18, 19, 26 and 27 are patentable over the combination of applied references for at least the same reasons as claims 1, 16 and 24. Accordingly, Applicants respectfully request that the rejection of claims 5-9, 18, 19, 26 and 27 under 35 U.S.C. §103(a) also be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited. Rejoinder and allowance of non-elected claims 46-57 are also earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

Date: January 15, 2004

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